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Security Council

Seventy-first year

Provisional

7678th meeting
Tuesday, 26 April 2016, 10.05 a.m.
New York

President:	Mr. Liu Jieyi	(China)
Members:	Angola	Mr. Gaspar Martins
	Egypt	Mr. Aboulatta
	France	Mr. Lamek
	Japan	Mr. Okamura
	Malaysia	Mr. Ibrahim
	New Zealand	Mr. Taula
	Russian Federation	Mr. Iliichev
	Senegal	Mr. Sambou
	Spain	Mr. Oyarzun Marchesi
	Ukraine	Mr. Vitrenko
	United Kingdom of Great Britain and Northern Ireland	Mr. Rycroft
	United States of America	Ms. Power
	Uruguay	Mr. Bermúdez
	Venezuela (Bolivarian Republic of)	Mr. Méndez Graterol

Agenda

Reports of the Secretary-General on the Sudan and South Sudan

Report of the Secretary-General on technical assistance provided to the African Union Commission and the Transitional Government of National Unity for the implementation of chapter V of the Agreement on the Resolution of the Conflict in the Republic of South Sudan (S/2016/328)

Report of the Secretary-General on South Sudan (S/2016/341)

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The meeting was called to order at 10.05 a.m.

Adoption of the agenda

The agenda was adopted.

Reports of the Secretary-General on the Sudan and South Sudan

Report of the Secretary-General on technical assistance provided to the African Union Commission and the Transitional Government of National Unity for the implementation of chapter V of the Agreement on the Resolution of the Conflict in the Republic of South Sudan (S/2016/328)

Report of the Secretary-General on South Sudan (S/2016/341)

The President (*spoke in Chinese*): In accordance with rule 37 of the Council's provisional rules of procedure, I invite the representative of South Sudan to participate in this meeting.

In accordance with rule 39 of the Council's provisional rules of procedure, I invite Mr. Hervé Ladsous, Under-Secretary-General for Peacekeeping Operations, to participate in this meeting.

The Security Council will now begin its consideration of the item on its agenda.

I wish to draw the attention of Council members to document S/2016/328, which contains the report of the Secretary-General on technical assistance provided to the African Union Commission and the Transitional Government of National Unity for the implementation of chapter V of the Agreement on the Resolution of the Conflict in the Republic of South Sudan, as well as to document S/2016/341, which contains the report of the Secretary-General on South Sudan.

I now give the floor to Mr. Ladsous.

Mr. Ladsous (*spoke in French*): I thank you, Mr. President, for giving me this opportunity to present to the Security Council the report of the Secretary-General on South Sudan (S/2106/341) and to provide an update on the most recent developments.

In general, the situation is very worrying, but we must note that, in the past 48 hours, there have been some positive developments, beginning with the return of Mr. Riek Machar to Juba. It is vital that the political and security trends currently under way in the country change quickly if we want to see the peace process have a real chance to succeed.

Following the arrival of the Chief of Staff of the Sudan People's Liberation Movement/Army in Opposition (SPLM/A in Opposition) yesterday with 195 security personnel, Mr. Machar finally arrived in Juba today, at 8.45 a.m. New York time, with his team on a United Nations aircraft. He should be sworn in as First Vice-President in the course of today, maybe even as we speak. I do not have any real-time information on that point.

The return of the First Vice-President-designate should mark the beginning of a new chapter for the country and allow the real transition to begin. It is crucial that the parties take this opportunity to show their genuine determination to move forward with the peace process. We must pay tribute to the efforts of Mr. Festus Mogae, Chair of the Joint Monitoring and Evaluation Commission (JMEC); Mr. Alpha Ouamar Konare, African Union High Representative for South Sudan; the regional and international partners; and the Special Representative of the Secretary-General for South Sudan, Ms. Ellen Løj. All their efforts helped to reach the compromises needed to get to this decisive stage in the peace process.

However, two additional steps will be crucial for beginning the transition: the establishment of the Transitional Government of National Unity and the full implementation of the transitional security arrangements. We hope that, as soon as Mr. Riek Machar is sworn in, the Government of National Unity could be quickly formed. The second phase, the return to Juba of security personnel of the opposition, will then be finalized and allow for the rapid operationalization of the Joint Operations Centre, which is responsible for coordinating the movements of security personnel in the capital and those of the Joint Integrated Police, together with the support of the United Nations Mission in the Republic of South Sudan (UNMISS) and other international partners. Although the Ceasefire and Transitional Security Arrangements Monitoring Mechanism (CTSAMM) has checked the number of military personnel and weaponry available to Government forces at the six positions they are authorized to take in Juba, the CTSAMM has not been able to inspect the sites located 25 kilometres from the capital, nor has it been able to verify the SPLM military personnel and weapons that have been redeployed.

(*spoke in English*)

The security situation in South Sudan remains precarious, with intermittent fighting witnessed in several areas of the country. Of particular concern are the recent clashes between the SPLA and armed groups in Wau county, in Western Bahr el Ghazal, where it is mostly SPLA against a group of young people, all of which has led to killings and further displacement of civilians. Fighting between the SPLA and the opposition forces has also been reported over the past few weeks in Upper state Nile, Unity state and in the Equatorias.

Throughout the reporting period, as Council members have seen in the monthly notes I send to the Council, the Government has continued to impose restrictions on the movement of UNMISS and on that of humanitarian workers, in violation of the status of forces agrement. these restrictions — I am thinking in particular of those on night patrols in Juba — have severely impacted the ability of the Mission to move and to protect civilians, as well as the ability of the United Nations to deliver humanitarian assistance, which is, more than ever, badly needed. I would urge the Council to send a strong message to both the Government and the opposition that it is of the utmost importance that the Mission and the humanitarian partners be granted unimpeded freedom of movement so that they can fulfil their mandates.

Turning now to the violence and the protection-of-civilians side of UNMISS in Malakal on 17 and 18 February, the preliminary investigation confirmed that at least 25 internally displaced persons had been killed and over 140 injured. That was a very grave incident indeed. In view of that, the Secretariat convened an independent board of inquiry to look into the response of the Mission to the crisis. Also, the Secretary-General decided to establish a special investigation to look into all the factors that contributed to the violence and determine who was responsible. The special investigation will be led by Mr. Abiodun Bashua and is just about to start its work. The Council will be briefed on the outcome of both investigations within a month or thereabouts.

I have already mentioned that, unfortunately, the humanitarian situation continues to worsen. It is worsening in scale, in scope and in urgency. After almost two and a half years of conflict and economic decline, more than half of the South Sudanese population are now in need of humanitarian assistance. The so-called coping mechanisms of the people are exhausted and, for far too many, survival is a minute-to-minute challenge. Furthermore, the rainy season is about to start, and that will create even more risk, both of severe food insecurity and of disease. That is potentially deadly. I therefore think I should urge the Council to demand from the parties and from all armed actors that they immediately uphold their obligations under international humanitarian law and human rights law.

Human rights also remain of grave concern in the country because civilians continue to be systematically targeted on an ethnic basis, and their homes and livelihoods continue to be destroyed. As the High Commissioner for Human Rights reported, the scale of atrocities committed even after the signing of the Peace Agreement is unacceptable. We know that there has been no accountability for those who commit such egregious violations. Dissent is not tolerated. Free speech is penalized and, despite the Government's claim to the contrary, there is a real and deliberate environment of intimidation.

The Transitional Government, once it is set up, will have to start work from day one to address many issues, first and foremost the issues of governance, financial misappropriation and the rule of law. As we know, the current decrease in oil prices has pushed South Sudan to the brink of economic collapse, if not total collapse itself. Even if the parties fully implement the Peace Agreement, the economic challenges cannot be overcome without major reforms and significant international assistance.

We should not forget that there are other conflict drivers, such as the creation of the 28 new states. Those drivers should be addressed in accordance with the decision of the Intergovernmental Authority on Development (IGAD) summit and the position of the Joint Monitoring and Evaluation Commission. Unilateral implementation of that presidential order would be detrimental to the peace efforts. It would also, by the way, require significant resources that South Sudan simply does not have. Governing 28 states is much more costly than governing just 10. I would urge the Security Council, in coordination with the African Union, to engage the President of South Sudan on this issue, with the aim of halting the implementation of the order until the issue has been discussed and mutually resolved within the Transitional Government.

Finally, the most vulnerable of the South Sudanese have suffered the most in the conflict, and they continue to do so. Without justice and reconciliation, the healing of those wounds — the fresher ones and the older ones alike — will not be possible, particularly if the issue of impunity is not addressed. There is a need for all parties to unite on this issue and agree on national reconciliation and transitional justice, including the establishment of the Hybrid Court, in accordance with the calendar. It also involves the rebuilding of the national justice system.

In sum, the peace process in South Sudan is extremely fragile. It will require a concerted and sustained effort at every level — national, regional and international. I can only call again on the Council to work closely with IGAD and the Peace and Security Council of the African Union to mobilize all the support that is required for President Mogae, the Chairperson of the JMEC, and President Konaré, the African Union High Representative for South Sudan, to generate both the incentives and the disincentives so that the current dynamics on the ground can change. Without significant political leverage generated by concerted international and regional efforts, they will not succeed.

The President (*spoke in Chinese*): I thank Mr. Ladsous for his briefing.

I now give the floor to the representative of South Sudan.

Mr. Malok (South Sudan): Since this is the first time my delegation is taking the floor to address the Council during your presidency, Sir, I would like to take the opportunity to congratulate the Chinese delegation on its assumption of that responsibility for the month of April. I would like to assure you of my delegation's full cooperation and to wish you every success in your leadership during the few days of your presidency that remain. I would also like to take this opportunity to thank Mr. Hervé Ladsous for his briefing and the Council for allowing me to speak on an important subject for my country.

As we meet today, we fully recognize the urgent need there is for the parties to the Agreement on the Resolution of the Conflict in the Republic of South Sudan to form a transitional Government of national unity. Despite the delay, of which everyone is aware, the Government of the Republic of South Sudan is firm in its commitment to fully implementing the Agreement. The swearing-in of Mr. Riek Machar as First Vice-President has opened a new chapter in that implementation. Mr. Machar's swearing-in today will be followed a day or two later by the formation of a transitional Government of national unity, after consultation with the various parties.

My Government hereby acknowledges the significant support we have received from the international community, particularly through its intervention in the conflict in South Sudan. We therefore call on the Security Council to remain seized of the situation with the parties as we come closer to taking the first step in implementing the peace agreement process.

In conclusion, I would like to reaffirm my Government's full commitment to implementing the Agreement in its entirety.

The President (*spoke in Chinese*): I now invite Council members to informal consultations to continue our discussion on the subject.

The meeting rose at 10.25 a.m.